

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2005-13-WS - ORDER NO. 2006-729
NOVEMBER 29, 2006

IN RE: Application of Wyboo Plantation Utilities, Inc.) ORDER GRANTING ORS
for Approval of New Schedule of Rates and) MOTION
Charges for Water and Sewer Services.)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of the Office of Regulatory Staff (ORS) to require Wyboo Plantation Utilities, Inc. (Wyboo, WPU, or the Company) to (1) identify all payments made to or collected by its affiliate Wrigley & Associates (Wrigley) relating to the provision of water/wastewater services by Wyboo, and (2) establish the prudence of those and other affiliate transactions.

ORS states that, based on information gathered from data requests, on-site visits, and through meetings with Wyboo customers, various payments (such as fees referred to as “tap fees”) have been made by Wyboo customers to Wrigley & Associates, Inc., an unregulated affiliate, rather than to Wyboo, the regulated utility. Certain prefiled testimony states that WPU customers are required to make payments to Wrigley & Associates, Inc., or the customers will not receive utility services from Wyboo.

ORS requests that this Commission issue an Order compelling WPU to (1) identify to the Commission all payments made to or collected by its affiliate Wrigley & Associates, Inc. relating to the provision of water/wastewater services by Wyboo, and (2)

establish the prudence of those and other affiliate transactions. Clearly, transactions between water/wastewater utilities and their affiliates and their effect on a utility's ratepayers have long been a matter of interest to this Commission. See Hilton Head Plantation Utilities, Inc. v. Public Service Commission of South Carolina, 312 S.C.448, 441 S.E. 2d 321 (1994). We believe that the information sought by ORS is clearly relevant to the present rate case. The ORS request raises concerns about possible payments by WPU ratepayers to a Wyboo affiliate for the provision of utility services by Wyboo. Accordingly, the Motion is granted. WPU shall identify to this Commission (and all parties) all payments made to or collected by its affiliate Wrigley & Associates, Inc. relating to regulated services provided by WPU for the test year ending December 31, 2005, by the close of business on Tuesday, December 5, 2006. WPU shall have the opportunity to demonstrate the prudence of the described transactions and other affiliate transactions during the hearing in this matter presently scheduled for December 13-14, 2006.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)